

REMARKS/DISCUSSION OF ISSUES

Claims 1-11 are pending in the application. Claims 1-11 are rejected.

Applicant thanks the Examiner for acknowledging the claim for priority and receipt of certified copies of all priority documents.

Claims 1-6 and 8-11 are rejected under 35 USC 103(a) as being unpatentable over JSR Corporation (EP 1 022 318 A2) (herein 'JSR').

JSR teaches a photocatalyst coating film and a method of making coating layers containing a photocatalyst. The method includes the steps of forming: an undercoating of a coating composition composed mainly of an organosilane component (a) and a polymer component (b) having a silyl group; and an overcoating of an organosilane component (a), a photocatalyst (f) for the hydrolysis and condensation of organosilane components (a) and, if desired, a polymer component (b) having a silyl group.

JSR teaches that the component (f) is preferably selected from acidic compounds, alkali compounds, basic compounds, amine compounds and organic metallic compounds. See para. [0152].

Component (f) may also be provided as a combination of two or more substances. See para. [0162].

The organic metallic compounds include metal alkoxides.

The Examiner urges that JSR thus teaches the use of a metal alkoxide in combination with another compound which would have resulted in basic conditions.

However, JSR does not teach that a metal alkoxides should be used in conjunction with any specific one of the other listed

compounds, and certainly not a particular compound which would result in basic conditions.

JSR includes both acidic and basic compounds, as well as other compounds in the list, and provides no guidance as to the selection of any one or more over the others. Thus, one could just as readily use an acidic compound as a basic compound, which would be in direct conflict with Applicant's teachings and claims of basic conditions.

Alternatively, one could use both acidic and basic compounds, which could result in neutral conditions, not basic conditions.

In summary, JSR simply provides a list of specific catalysts from which to chose, one of which happens to be a metal alkoxide, and the others including acidic compounds as well as basic compounds. There is absolutely no teaching or suggestion that a metal alkoxide be used under basic conditions.

Thus, it would not have been obvious to one skilled in the art to select a metal alkoxide in combination with a basic compound, or a compound capable of producing basic conditions. Accordingly, the rejection of claims 1-6 and 8-11 under 35 USC 103(a) is in error and should be withdrawn.

Claims 1-11 are rejected under 35 USC 103(a) over Philips Electronics N.V. (WO 98/22548) (herein 'Philips') in view of JSR.

Philips teaches lacquer compositions prepared by treating an organosilane compound with water in the presence of a polycarboxylic acid. See page 2, line 15.

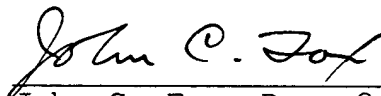
In teaching the use of an acid catalyst, Philips is in direct conflict with Applicant's claims. Moreover, since JSR provides no guidance regarding acidic or basic or neutral

conditions, the combination of Philips with JSR would lead the skilled artisan to the use of an acidic catalyst, in direct conflict with Applicant's claims.

Accordingly, the rejection of claims 1-11 under 35 USC 103(a) is in error and should be withdrawn.

In view of the foregoing arguments and amendments, Applicant urges that all of the pending claims are allowable, and respectfully requests that the Examiner withdraw the rejection of record, allow all the pending claims, and find the application to be in condition for allowance.

Respectfully submitted,



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